



CALIFORNIA STATE BOARD OF EDUCATION

SEPTEMBER 2004 AGENDA

☒ General Waiver

SUBJECT

Request by the **Sweetwater Union High School District** to waive portions of *Education Code* (EC) Section 51222 related to minimum physical education minutes in order to implement a block schedule at **Montgomery High School**.

Waiver Number: 6-5-2004

☒ Action

☒ Consent

RECOMMENDATION

☐ Approval ☒ Approval with conditions ☐ Denial

In keeping with State Board of Education Policy #99-03, this waiver request appears to meet the following criteria and approval is recommended on that condition:

- Students are in physical education a minimum of 18 weeks in 70-90 minute daily periods during the regular school year.
- The district describes a method by which it will monitor students; maintenance of a personal exercise program during the weeks the student is not participating in a physical education course.
- The district provides evidence that alternative day scheduling for physical education rather than alternative term scheduling has been thoroughly investigated. Reasons why alternative day scheduling will not work are clearly explained.
- The district provides information that shows the physical education program is aligned with the *Physical Education Framework* (provides a sequential, articulated, age-appropriate program).
- The district provides information that shows the physical education program (in a senior or four-year high school) is in compliance with the *California Code of Regulations, Title 5, Article 3.1, Section 10060*.
- Students are prepared for and participate in the physical performance testing as specified in the *Education Code*.
- EC 33051(c) will apply.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Education Code Section 51222 establishes requirements for minimum minutes of physical education every ten days at the high school level. State Board of Education Policy #99-03 establishes waiver guidelines related to minimum physical education minutes for the purpose of implementing a block schedule.

SUMMARY OF KEY ISSUES

This waiver request (needed to implement a block schedule at Montgomery High School) appears to meet the criteria set forth in the State Board's waiver guidelines and is recommended for conditional approval based thereupon. Importantly, the affected students will receive more than the minimum physical education minutes during the

academic year (although not spread out over the whole academic year, thus necessitating the waiver). Moreover, the district indicates that a physical education resource teacher will be assigned to "track the activities of 9th and 10th grade students for the ½ year they are not enrolled in physical education." The resource teacher will be responsible for developing a process for "creating, maintaining, and monitoring a personal fitness plan" for the 9th and 10th grade students. The district also indicates that affected students will have a variety of opportunities to participate in supervised physical activity "at school facilities outside the school day."

Authority for Waiver: *Education Code (EC) Section 33050*

Period of request: July 19, 2004, to July 18, 2005

Local board approval date(s): April 19, 2004

Public hearing held on date(s): April 19, 2004

Bargaining unit(s) consulted on date(s): March 15, 2004

Name of bargaining unit/representative(s) consulted: Alex Anguiano

Position of bargaining unit(s) (choose only one):

☒ Neutral ☐ Support ☐ Oppose

Comments (if appropriate): None.

Public hearing advertised by (choose one or more):

☒ posting in a newspaper ☒ posting at each school ☐ other (specify)

Advisory committee(s) consulted: Montgomery High School Site Council

Objections raised (choose one): ☒ None ☐ Objections are as follows:

Date(s) consulted: January 22, 2004

FISCAL ANALYSIS (AS APPROPRIATE)

Approval of this waiver will have essentially no fiscal impact on the state, the district, or the individual school.

BACKGROUND INFORMATION

Consent Item: Backup materials, waiver request forms and supporting documents are not available for Web viewing but are available for inspection in the Waiver Office.